

BQC 93-074

Date: December 9, 1993

To: Ambulatory Surgical Centers ASC 7

From: Judy Fryback, Director
Bureau of Quality Compliance

Subject: Clarification of Ambulatory Surgical Center Regulations

Enclosed is a copy of Health Care Financing Administration, Division of Health Standards and Quality Regional Program Letter No. 93-64. The purpose of this letter is to inform you of a clarification regarding physician requirements at the time of patient discharge from an ambulatory surgical center (ASC). This program letter addresses whether a physician is required to evaluate each patient at the time of the patient's discharge or whether a recovery room nurse or anesthesiologist can discharge patients under the appropriate protocols.

Please share this information with the appropriate staff. Direct any questions you may have to Stephen D. Schlough, Chief, Hospital and Health Services Section, Bureau of Quality Compliance at the above indicated address or telephone him at (608) 266-3878.

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cc: -BQC Staff
-Office of Legal Counsel
-Ann Haney, DOH Admin.
-Kevin Piper, BHCF Dir.
-HCFA, Region V
-Illinois State Agency
-Ohio State Agency
-Michigan State Agency
-Indiana State Agency
-Minnesota State Agency
-Mark Bunge, BPH
-Commission on Geriatric Health
-Non-LTC BQC Memo Subscribers

Department of Health & Human Services
Health Care Financing Administration
Region V
105 West Adams Street
15th Floor
Chicago, Illinois 60603-6201

October 1993

Refer to:

DIVISION OF HEALTH STANDARDS AND QUALITY REGIONAL PROGRAM LETTER No. 93-64

Subject: Ambulatory Surgical Center (ASC) Regulations

We recently received clarification from our Central Office (CO) regarding physician requirements at the time of patient discharge from an ambulatory surgical center (ASC). The clarification was written in response to a memorandum received from the Montana State survey agency. The following questions were raised:

Are physicians required to evaluate each patient at the time of the patient's discharge from the ASC? Can the anesthesiologist or the recovery room nurse, based on protocol established by the anesthesiologist, discharge patients?

Central Office has clarified that either practice is acceptable as long as the physician evaluates the patient for proper anesthesia recovery prior to the patient's discharge. Under Federal Regulation 42 CFR 416.42, before discharge from the ASC, each patient must be evaluated by a physician for proper anesthesia recovery. Therefore, the regulation does not require the evaluation to be at the time of discharge. Only that the physician evaluates the patient for proper anesthesia recovery prior to the patient's discharge. CO will revise the ASC interpretive guidelines to be more consistent with the regulation.

Please share this information with your staff who survey or are otherwise involved in ASC survey and certification in your agency. If you have any questions regarding this issue, please contact your Program Representative.

/s/ William F. Pfeifer